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that will facilitate compacts authorized by Title III, however, because the provisions of section 102(d) constitute a waiver of sovereign immunity, it must be strictly construed. See, e.g., United States v. Kubrick, 444 U.S. 111 (1979) and McMahon v. United States, 342 U.S. 25 (1951). Therefore, a statute waiving sovereign immunity may not be extended or enlarged by implication to causes not plainly within its terms. Accordingly, it is our opinion that tort claims coverage does not extend to activities conducted pursuant to self-governance authorities.

You should be aware that section 313(b) of Senate Bill 550 introduced in the current session of Congress contains language that would expressly extend tort claim coverage to activities carried out under the Title III compacts.



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